UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,826	10/22/2001	John Edward McNulty	P-2192D3	6163

7590 03/11/2004	EXAMINER

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EXAMINER	
WONG, LESLIE	

ART UNIT	PAPER NUMBER
2177	7

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No. ●	Applicant(s)
	10/032,826	MCNULTY ET AL.
	Examiner	Art Unit
	Leslie Wong	2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 October 2001</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-11</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-11</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>22 October 2001</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1.   The disclosure is objected to because it contains an embedded hyperlink and/or

other form of browser-executable code. Applicant is required to delete the embedded

hyperlink and/or other form of browser-executable code. See MPEP § 608.01. See

pages 40, 43, and 57 in Specification for the mentioned embedded hyperlinks.

Applicant is requested to review the remainder of the Specification and correct the

hyperlinks in the text. Alternatively, Applicant may place angle brackets around the

links (i.e., <>) to overcome the objection.

2.   The disclosure is objected to because of the following informalities:

On page 9, line 16, 'Figures' should be **Figure**.

On page 9, line 21, 'Figures' should be **Figure.**

Appropriate correction is required.

Drawings

3.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5)

because they include the following reference sign(s) not mentioned in the description:

Figs. 7A-7B, 9A-9B, 35A-35C, 39A-39C, 42A-42C, and 45A-45C. A proposed drawing

correction, corrected drawings, or amendment to the specification to add the reference

sign(s) in the description, are required in reply to the Office action to avoid

abandonment of the application. The objection to the drawings will not be held in

abeyance.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.   Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Smethers (U.S. Patent 6,560,640 B2) in view of **Gershman et al.** ("Gershman" herein

after) (U.S. Patent 6,401,085 B1).

Regarding claim 1, **Smethers** teaches a method for facilitating access to previously stored information on a computer network by a user of a mobile device (col. 15, lines 26-32), the method comprising:

a).   **'receiving data representing the information from a data provider through a base system interface'** as user requesting information from the Internet by inputting the URL of the site interested (col. 15, lines 10-15; col. 1, lines 31-56), the user bookmarks a web page of interest using a menu selection provided by the user interface of the web browser (col. 1, lines 46-57). Bookmarks for a subscriber or wireless client device can be entered using personal computer (i.e., base system interface) to edit, create, or delete bookmarks for the wireless client device (col. 8, lines 25-30; col. 10, lines 14-16). A bookmark is a place-holder for a electronic document (i.e., web page) and particularly identified by a uniform resource location *currently being view* by the user of the web browser (col. 1, lines 52-57) for those web sites that users desires to return to in the future. The fact that the user can bookmark a page means that the server has forwarded the requested page to the client browser, the client browser receives the data and in turn displays to the user for viewing.

c).   **'associating the data with the user within the database'** as the remote server stores a table for each subscriber (i.e., user), the tables store URLs (i.e., data object) as associated with the subscriber's bookmarks as utilized on their wireless client device (col. 14, lines 35-39);

e). **'receiving a request from the user for retrieval of the data through a mobile system interface'** as a compact request from a wireless device to the server by requesting a document via selection of a bookmark (col. 2, lines 38-47); and

f). **'sending the data to the user through the mobile system interface in accordance with one or more data attributes defined for the selected data object type'** as bookmark id for previously assigned bookmark, URL, and shortname for the selected bookmark (col. 15, lines 7-15; col. 11, lines 34-46);

g). **'wherein the request is a numerical identifier of the data object entered by the user through a mobile device coupled to the mobile system interface'** as user select a bookmark to request the associated document by single button action (col. 2, lines 45-47; col. 13, lines 51-57).

b). **'storing data in a database'** as storing the URL at the proxy server device (col. 6, lines 23-29; col. 8, lines 53-57).

Although the prior art discloses that the step of storing the URL at the proxy **server** instead of storing the data object in the **database**; however, it should be apparent to the reader that the proxy server disclosed therein should include at least one database for storage, maintenance, and retrieval of subscriber information such as account, configuration, and preferences etc. as indicated in col. 6, lines 23-29.

Smethers does not explicitly teach storing data objects.

Gershman, however, teaches **'storing data objects'** (col. 5, lines 3-13). Since the object can represent anything, the software developer can create an object which can be used as a component in a larger software project in the future (col. 6, lines 18-47).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Gershman's** teaching involves a mobile computing environment accesses the Internet using object oriented programming would have allowed **Smethers's** to represent logically separable matters, break down complex programming problems into smaller, simpler problems (col. 7, lines 10-13), and allow the software developer to design and implement a computer program that is a model of some aspects of reality (col. 6, lines 18-46). Thus implementing OOP would improve the quality of software and expedite the software development process by reusing existing components (col. 6, lines 47-62).

d). **Smethers** does not explicitly teach a step of associating the data object with a select one of two or more data object types.

Gershman, however, teaches a step of **'associating the data object with a select one of two or more data object types'** as allowing the user to create a number of different personas that aggregate profile information into sets that are useful in different contexts. One persona (i.e., data object) may be created when making purchase for home (i.e., home type object) and a second persona for work context (i.e., work type object) (col. 41 lines 6-22).

It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to combine the teachings of the cited references because

Gershman's teaching would have allowed **Smethers's** to create a relationship between

the data object (i.e., user persona) and multiple data object types (i.e., travel or work

profile) in order to group multiple profiles into useful contexts to satisfy user's intention

and meet user's needs (Fig. 12 and col. 41, line 6 – col. 42, line 14).

Regarding claim 2, **Smethers** further teaches wherein **'each of the data object**

types is associated with a type identifier' as my stocks, redskin updates, and local

news are assigned with a numerical identifier "1", "2", and "3" respectively (col. 13, lines

42-57).

Regarding claim 3, **Smethers** does not explicitly teach parsing the data into one

or more portions, each of which corresponds to the one or more data attributes defined

for the selected data object type; and wherein storing the data object includes storing

the one or more portions organized according to the data attributes defined for the

selected data type.

Gershman, however, teaches **'parsing the data into one or more portions,**

each of which corresponds to the one or more data attributes defined for the

selected data object type; and wherein storing the data object includes storing

the one or more portions organized according to the data attributes defined for

the selected data type' as utilizing the three user-defined structure: TMeetingRecord,

TPatternElement, and TPatternRecord to store pertinent information concerning a single meeting (col. 11, lines 40-62).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Gershman's** teaching would have allowed **Smethers's** to extract and store the data according to the data structure in order to provide information about the data object to other functions (col. 11, lines 60-62).

Regarding claim 4, **Smethers** does not explicitly teach wherein the parsing is according to an attribute pattern specified for the selected data object type.

Gershman, however, teaches '**parsing is according to an attribute pattern specified for the selected data object type'** as extracting list of keywords from the title and body of meeting and patterns are selected because they are templates of phrases which have a high probability of appearing in someone's meeting text (col. 11, lines 43-62; col. 12, lines 25-28; col. 16, lines 14-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Gershman's** teaching would have allowed **Smethers's** to avoid information overload by matching only the specified pattern and increase the performance because the system can reuse the existing patterns (col. 15, line 55 – col. 16, line 25; col. 37, lines 25-55).

Regarding claim 5, **Smethers** further teaches **'sending the data along with one or more user interface triggers by which the user can invoke one or more respectively associated actions to be taken with respect to the data'** as a menu list that depicts different kinds of data such as my stocks, redskin updates, and local news. The above-mentioned data are assigned with a numerical identifier "1", "2", and "3" respectively. By depressing a numerical key "1" on the keypad user can invoke the action of retrieving data for the stocks (col. 11, lines 42-51; col. 12, lines 10-31; and Fig. 5).

Regarding claim 6, **Smethers** further teaches wherein **'a selected one of the actions is to be performed by a mobile device used by the user to request the data'** as a user interacts with the wireless client device to select a bookmarked document that is to be requested (col. 9, lines 40-47; col. 15, lines 26-32).

Regarding claim 7, **Smethers** further teaches wherein **'the selected action has a behavior defined by one or more instructions to be performed by the mobile device; and further wherein sending the data to the user includes sending the instructions with the data'** as Handheld Device Markup Langue (HDML) contains a set of commands or statements specified how information to be displayed on the wireless client device (col. 6, lines 64-67). As specified in Applicants' Specification, page 28, line 15 – page 29, line 3, Wireless Markup Language (WML) scripts can include instructions which can be carried out by a mobile device such as wireless

telephone 110 thereby defining a behavior of wireless telephone 110. Since the WML

and HDML are markup languages designed to work as micro-browser for displaying

the retrieved information on the handheld device. **Smethers'** HDML is equivalent to

Applicants' WML; therefore, it is submitted that **Smethers'** HDML commands instruct

the mobile device how to display the information teaches the limitation as claimed.

Regarding claim 8, **Smethers** does not explicitly teach wherein a selected one of

the actions is accessible to the user only if the selected data object type of the data

object is one of one or more acceptable ones of the two or more data object types.

Gershman, however, teaches **'a selected one of the actions is accessible to**

the user only if the selected data object type of the data object is one of one or

more acceptable ones of the two or more data object types' as an Intention-Centric

Interface designed to help the user manage personal Intentions. At any given point, the

interface content is customized to show only content that relates to that particular

Intention (col. 42, lines 15-27).

It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to combine the teachings of the cited references because

Gershman's teaching would have allowed **Smethers's** to customize and display

actions based on user-specific version of the generic version in the profile (col. 42, lines

43-50).

Regarding claim 9, **Smethers** does not explicitly teach wherein performance of a selected one of the actions acts upon one or more of the data attributes of the data object.

Gershman, however, teaches **'performance of a selected one of the actions acts upon one or more of the data attributes of the data object'** as a profile restriction rule (i.e., data attributes) that dictates a person can not book a flight (i.e., action) on a certain airline (col. 41 line 51 – col. 42, line 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Gershman's** teaching would have allowed **Smethers's** to instruct the system to select and retrieve the desired data based on user's preferences to satisfy the selected intention (col. 42, lines 15-27).

Regarding claim 10, **Smethers** does not explicitly teach wherein a selected one of the actions is accessible to the user depending upon user data representing characteristics of the user.

Gershman, however, teaches **'a selected one of the actions is accessible to the user depending upon user data representing characteristics of the user'** as an Egocentric Interface that utilizes the user's personal information stored in a central profile database to customize the interface based on user's needs, preferences, and current context (col. 39, lines 27-44).

It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to combine the teachings of the cited references because

Gershman's teaching would have allowed **Smethers's** to **Smethers's** to customize

and display actions based on user-specific version of the generic version in the profile

(col. 42, lines 43-50).

Regarding claim 11, **Smethers** further teaches wherein '**the user data includes**

specification of a mobile data services provider' as account manager manages

through account interface for all the wireless client devices serviced by proxy server

device and the subscriber ID may take the form of 861234567-10900_pn.mobile.att.net

by AT&T Wireless Service (col. 11, lines 19-33).

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

U.S. Patent 5,895,471 issued to **King et al.** on 20 April 1999. The subject matter

disclosed therein is pertinent to that of claims 1, 6, and 11 (e.g. accessing hypermedia

servers via mobile devices such as wireless telephones and storing designated

hypermedia links on a bookmark server).

U.S. Patent 6,501,956 issued to **Weeren et al.** on 31 December 2002. The subject matter disclosed therein is pertinent to that of claims 1, 6, 7, and 11 (e.g. display menu of choices on mobile device, allow user to modify the watch list for stocks previously specified by the user and store either in an external host data server indexed by user's unique id).

U.S. Patent 6,546,002 B1 issued to **Kim** on 08 April 2003. The subject matter disclosed therein is pertinent to that of claims 1, 2, 8-10 (e.g. mobile agent that can be used to access resources such as bookmarked, applications, user profiles etc. stored locally or across a network based on user's profile).

U.S. Patent 6,321,257 B1 issued to **Kotola et al.** on 20 November 2001. The subject matter disclosed therein is pertinent to that of claims 1, 6, and 11 (e.g. mobile user submits a short message addressed to the service center containing an identifier for the web page).

U.S. Patent 6,542,812 B1 issued to **Obradovich et al.** on 01 April 2003. The subject matter disclosed therein is pertinent to that of claims 6, 8-10 (e.g. Navigation device provide user with route and information concerning the favorite facilities and events surrounding the navigated route based on user's profile and preferences).

U.S. Patent 6,134,548 issued to **Gottsman et al.** on 17 October 2000. The

subject matter disclosed therein is pertinent to that of claims 4, 6, 7, 8-11 (e.g. mobile

device accesses the Internet to obtain product information).

U.S. Application Publication 2002/0123368 A1. The subject matter disclosed

therein is pertinent to that of claims 3-5, 8 (e.g. pocket telephone that maintains the

number of entries of persons or parties whom its user has contacted or may contact to

be displayed on the address book screen and enables its user to easily know the type of
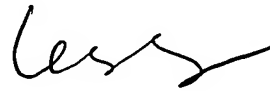
contact).

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Leslie Wong whose telephone number is (703) 305-

3018. The examiner can normally be reached on Monday to Friday 9:30am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Leslie Wong
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Art Unit 2177

LW
26 February 2004